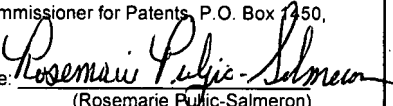


# COPY

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)	
<b>Title of Invention</b>	A CATHETER ASSEMBLY WITH AN ADJUSTABLE LOOP
<p>As the below named inventor(s), I/we declare that:</p> <p>This declaration is directed to:</p> <p><input type="checkbox"/> The attached application, or</p> <p><input checked="" type="checkbox"/> Application No. <u>PCT/AU2005/000058</u>, filed on <u>January 20, 2005 (Int'l)</u></p> <p><input type="checkbox"/> as amended on _____ (if applicable);</p> <p>I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;</p> <p>I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;</p> <p>I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.</p> <p style="text-align: center;"><b>WARNING:</b></p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.</p>	
<p><b>FULL NAME OF INVENTOR(S)</b></p> <p>Inventor one: <u>Norman BOOTH</u></p> <p>Signature: <u>Norman Booth</u> Citizen of: <u>Australia</u></p> <hr/> <p>Inventor two: _____</p> <p>Signature: _____ Citizen of: _____</p> <hr/> <p>Inventor three: _____</p> <p>Signature: _____ Citizen of: _____</p> <hr/> <p>Inventor four: _____</p> <p>Signature: _____ Citizen of: _____</p> <hr/> <p><input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.</p>	

Attorney Docket No.: 559022000200  
Client Reference No.: 128223

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EM 021708761 US, on the date shown below in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 12, 2007 Signature: 

(Rosemarie Public-Salmeron)

Docket No.: 559022000200  
(PATENT)

Client Reference No. 128223

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Norman BOOTH

Application No.: 10/587,534

Confirmation No. 9688

Filed: January 20, 2005 (Int'l)

Art Unit: 1626

For: A CATHETER ASSEMBLY WITH AN  
ADJUSTABLE LOOP

Examiner: Not Yet Assigned

**NOTIFICATION OF CHANGE IN ENTITY STATUS**

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Notice is hereby given that Applicants are entitled to claim small entity status for the above-captioned application. The appropriate supporting documentation, i.e., a written assertion of entitlement to small entity status according to 37 C.F.R. § 1.27(c) is attached hereto.

Dated: September 12, 2007

Respectfully submitted,

By 

Lisa A. Amii

Registration No.: 48,199  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5674

Applicant/Patentee: Norman BOOTH

Serial No./Patent No.: 10/587,534

Filed on/Issued : January 20, 2005 (Int'l)

For: A CATHETER ASSEMBLY WITH AN ADJUSTABLE LOOP

Docket No.: 559022000200

Client Reference: 128223

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**37 C.F.R. §§ 1.9 AND 1.27 — SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: CathRx Ltd

ADDRESS OF CONCERN: Room G16, National Innovation Centre, Australian Technology Park, Eveleigh, New South Wales 1430, Australia

I hereby declare that the above identified small business concern qualifies as a small business concern pursuant to 37 C.F.R. 1.27 and 13 C.F.R. § 121.802, for purposes of paying reduced fees to the United States Patent and Trademark Office, and the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A CATHETER ASSEMBLY WITH AN ADJUSTABLE LOOP by inventor(s) Norman BOOTH described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention qualify for small entity status, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.27, or a nonprofit organization under 37 C.F.R. § 1.27.

Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.

☐ each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
		<input type="checkbox"/> Individual <input type="checkbox"/> Small Business Concern <input type="checkbox"/> Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: NEIL ANDERSON

TITLE OF PERSON IF OTHER THAN OWNER: CEO

ADDRESS OF PERSON SIGNING: Suite G16 National Innovation Centre  
Australian Technology Park  
Eveleigh NSW

SIGNATURE: 

DATE: 22nd August 2007